

ASSEMBLY BILL

No. 2109

Introduced by Assembly Member Spitzer

February 20, 2008

An act to add Section 3001.5 to the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 2109, as introduced, Spitzer. Parole: discharge.

Existing law, as amended by Proposition 83 of the November 7, 2006, statewide general election, provides for discharge from parole after a specified amount of time on parole and under specified circumstances. Proposition 83 permits the Legislature, by majority vote of the membership of each house, to amend the provisions of the act to expand the scope of the application of the provisions of Proposition 83.

This bill would require a person who is scheduled to be discharged from parole without being referred to the Board of Parole Hearings to receive a discharge recommendation from his or her parole agent, the unit supervisor, and the district administrator prior to being discharged. The bill would also require, in cases in which a district administrator wishes to discharge a person from parole against the recommendation of the parole agent and unit supervisor, that the person be referred to the Board of Parole Hearings for a determination of whether discharge is appropriate.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3001.5 is added to the Penal Code, to
2 read:
3 3001.5. A person who is scheduled to be discharged from parole
4 without being referred to the Board of Parole Hearings shall receive
5 a discharge recommendation from his or her parole agent, the unit
6 supervisor, and the district administrator prior to being discharged.
7 If a district administrator wishes to discharge a person from parole
8 against the recommendation of the parole agent and unit supervisor,
9 then the person shall be referred to the Board of Parole Hearings
10 for a determination of whether discharge is appropriate.

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